

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Commercial Taxes Department – Completion of final Assessments of M/s. Venkata Sai Constructions – Certain Lapses noticed – Article of Charges framed against Sri P. Govinda Rao and Sri M. Anjaneyulu formerly Commercial Tax Officers, Siddipet (now retired) under Rule 20 of A.P.C.S. (CCA&A) Rules, 1991 – Explanations submitted – Inquiry Officer appointed – Enquiry Report submitted – Further action – Dropped – Orders – Issued.

REVENUE (VIG.I) DEPARTMENT

G.O. (Rt.) No. 944.

Dt.15.07.2009.

Read the following:-

- 1) CCT's Ref. No.V1(D3)/722/2003-1, dt.20.10.2004.
- 2) CCT's Ref. No.V1(D3)/722/2003-2, dt.20.10.2004.
- 3) CCT's Ref. No.V1(D3)/722/2003-1, dt.25.06.2005.
- 4) CCT's Ref. No.V1(D3)/722/2003-2, dt.25.06.2005.
- 5) Explanation of Sri M. Anjaneyulu, CTO, dt.13.12.2004 & 18.08.2005.
- 6) Explanation of Sri P. Govinda Rao, CTO, dt.10.12.2004, 21.02.2007 & 28.07.2005.
- 7) CCT's Ref. No.V1(D3)/722/2003, dt.14.12.2006.
- 8) CCT's JC (legal)/Peshi Ref.1/06, dt.24.03.2007.
- 9) CCT's. JC (Legal)/Peshi Ref.2/06, Dt.24-3-2007.
- 10) CCT's Ref. No.V1(D3)/722/2003, dt.24.09.2008.

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ORDER:

Whereas in the references 1st and 3rd read above Articles of Charges have been framed against Sri M. Anjaneyulu, the then Commercial Tax Officer (now Retired), as he has committed certain irregularities in the finalization of assessment while working as Commercial Tax Officer, Siddipet in the case of M/s. Venkata Sai Constructions, Siddipet for the year 2001 raising a Demand of Rs.11,80,796/- which includes turnover of bitumen Rs.1,08,18,500/- purchased from outside the State without examining and without bothering to look into the case Law and approved the assessment orders in favour of the Dealers thereby causing loss of revenue to a tune of Rs.8,65,480/- to the State and in the references 2nd and 4th read above Article of charges have been framed against Sri P. Govinda Rao, the then Commercial Tax Officer (now retired) as he committed irregularities in finalizing the assessments in the case of five liquor dealers viz., (1) Renuka Wines, (2) Krishna Wines, (3) Swarna Wines, (4) Sairam Wines and (5) Durga Wines, Siddipet for the year 1997-98 without verifying the check notes of the Assistant Commercial Tax Officer which resulted in short levy and non collection of tax of Rs.7,29,821/-.

2) And whereas in the references 5th to 6th read above, both the Charged Officers have submitted their explanations to the Charges framed against them.

3) And whereas in the reference 7th read above, Sri P. Satyanarayana Reddy, Joint Commissioner (CT), Office of the Commissioner (CT) was appointed as Inquiry Officer to conduct detailed inquiry into the charges framed against the Charged Officers.

4) And whereas in the reference 8th read above, the Enquiry Officer has stated in respect of Sri P. Govinda Rao, that even assuming that there is a short levy of Tax of Rs.1,17,296/- in finalizing the five assessments by the said Delinquent Officer, the Enquiry Officer do not find the Charge-I holds good, as it is not proved that there is negligence or malafide intention on the part of the Delinquent Officer. The Enquiry Officer further stated that the Charge-II framed against the said Delinquent Officer is not proved, hence the charges leveled against Sri P. Govinda Rao do not holds good.

5) And whereas in the reference 9th read above, in respect of Sri M. Anjaneyulu, Commercial Tax Officer (Retd), the Enquiry Officer has stated that based on the verification of records and defence put forth by the Delinquent Officer during the enquiry, the Enquiry Officer do not find any malafide intention on the part of the Delinquent Officer in granting exemption subsequent to Appellate Authority's orders, hence the charges framed against the said Delinquent Officer, viz. Sri M. Anjaneyulu, Commercial Tax Officer (Retd) do not hold good.

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6) And whereas in the reference 9th read above, the Commissioner of Commercial Taxes has requested the Government to take necessary action as the Government is competent authority for taking further action against the retired Government servants.

7) Government after careful examination of the matter in detail, hereby decide to drop further action against Sri M. Anjaneyulu and Sri P. Govinda Rao, Commercial Tax Officers (Retd.) and accordingly drop further action against them, as the charges framed against them are not held proved.

8) The Commissioner of Commercial Taxes shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTHOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Anjaneyulu and Sri P. Govinda Rao, Commercial Tax Officers (Retd.)
through the Commissioner of Commercial Taxes, A.P., Hyderabad.

The Commissioner of Commercial Taxes, A.P., Hyderabad.

Copy to:-

The Accountant General, A.P., Hyderabad.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The District Treasury Officer concerned.

File/SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER